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7 IN THE UNITED STATES DISTRICT COURT
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9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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11 KIA CHEVALIER,

No. C-07-0401 MMC

12 Plaintiff,

ORDER OF DISMISSAL

13 v.

14 SUTTER HOTEL, et al.,

15 Defendants.

16 _____ /
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18 The parties having advised the Court that they have agreed to a settlement of the
19 above-titled action,

20 IT IS HEREBY ORDERED that all claims alleged herein be dismissed without
21 prejudice; provided, however, that if any party hereto shall certify to this Court, within ninety
22 days, with proof of service of a copy thereon on opposing counsel, that the agreed
23 consideration for the settlement has not been delivered, the foregoing order shall stand
24 vacated and the action shall forthwith be restored to the calendar to be set for trial.

25 **IT IS SO ORDERED.**

26 Dated: June 9, 2008
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Maline M. Chesney
28 MAKINE M. CHESNEY
United States District Judge